

LM 12/19/12
RAM

THE COUNTY OF DAUPHIN, PENNSYLVANIA

RESOLUTION #29-2012

**A RESOLUTION AUTHORIZING THE COUNTY'S
CESSATION OF OPERATIONS OF THE HERBERT A.
SCHAFFNER YOUTH CENTER AND RELATED
AGREEMENTS**

WHEREAS, the County of Dauphin, Pennsylvania, currently operates a youth shelter at the Herbert A. Schaffner Youth Center (hereinafter "Schaffner"), a licensed child residential facility; and

WHEREAS, the Commissioners of the County of Dauphin (hereinafter the "Commissioners"), have determined that the County's continued operation of the youth shelter at Schaffner is no longer economically feasible, nor in the best interests of the County as a whole; and

WHEREAS, the Commissioners made it publicly known that, as of January 1, 2013, the County would cease operations of the youth shelter at Schaffner; and

WHEREAS, on September 26, 2012, the Commissioners approved the transition of operations of the youth shelter at Schaffner from the County to Alternative Rehabilitation Communities, Inc. ("ARC"), a third-party service provider; and

WHEREAS, the Commissioners determined that the County's cessation of operations of the youth shelter at Schaffner and the transition of operations to ARC, as a third-party service provider, is in compliance with the mandates of the County Code and in the best interest of the County as a whole.

NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:

1. The County affirms its action of September 26, 2012, to approve the County's cessation of operations of the youth shelter at Schaffner and to contract with ARC, as a third-party service provider, to provide youth shelter services from ARC's child residential facility located at Schaffner.

2. Any actions taken by the County or its representatives or agents regarding the County's cessation of operations of the youth shelter at Schaffner and the transition of shelter operations from the County to ARC prior to the passage of this resolution are confirmed, ratified and approved.

3. By adoption of this Resolution, the following agreements and documents, presented herewith, are approved by the Commissioners, and the Commissioners, as well as the employees, representatives or agents of the County, are hereby authorized and directed to execute and deliver the following and to take any and all actions deemed necessary and appropriate in connection with the same:

- a. Purchase of Services Agreement;
- b. Lease Agreement;
- c. Shared Services Agreement;
- d. Assignment, Assumption and Consent Agreement with J.C. Ehrlich;
- e. Assignment, Assumption and Consent Agreement with G.R. Sponaugle;
- f. Assignment, Assumption and Consent Agreement with Sleber Associates; and
- g. Assignment, Assumption and Consent Agreement with Trinity Services.

4. The Commissioners, and the employees, representatives and agents of the County, in connection with the transition of shelter operations from the County to ARC or any of the

transactions described or contemplated by the foregoing resolutions or otherwise by the Purchase of Services Agreement, Lease Agreement, and Shared Services Agreement with ARC and the Assignment Agreements with J.C. Ehrlich, J.R. Sponaugle, Sleber Associates and Trinity Services are hereby authorized to take any and all actions, to execute and deliver any and all further documents, and to take any and all such other actions as any of the Commissioners, or such employees, representatives or agents, deem necessary or appropriate in order to effectuate the purposes or carry out the intent of the foregoing resolutions. Further, the execution and delivery or filing of any such documents or the taking of any such action by the Commissioners, or the employees, representatives or agents of the County, conclusively shall evidence the due authorization and approval thereof by the County.


5. In the event any provision, section, sentence, clause or part of this resolution shall be held to be invalid, such invalidity shall not affect or impair any remaining provision, section, sentence, clause or part of this resolution, it being the intent of the County that such remainder shall be and shall remain in full force and effect.


[Remainder of page intentionally left blank]


[Signature page follows]

DULY ADOPTED, by the Commissioners of the County of Dauphin, Pennsylvania, in
lawful session duly assembled, this 19th day of December, 2012.

**COUNTY OF DAUPHIN
COMMONWEALTH OF PENNSYLVANIA**

By: 
Jeffrey T. Haste
Chairman
Dauphin County Commissioner

By: 
Mike Pries
Vice Chairman
Dauphin County Commissioner

By: 
George P. Hartwick, III
Secretary
Dauphin County Commissioner

CERTIFICATE

I, the undersigned, Chief Clerk of the County of Dauphin, Pennsylvania (the "County"), certify: that the foregoing is a true and correct copy of a Resolution which duly was adopted by affirmative vote of a majority of all members of the Commissioners of the County of Dauphin at a meeting duly held on the 19th day of December, 2012, at which meeting a quorum was present; and said Resolution is in full force and effect, without amendment, alteration or repeal, as of the date of this Certificate.

I further certify that the Commissioners of the County met the advance notice and public comment requirements of the Sunshine Act, 65 Pa.C.S. Ch. 7 of the Commonwealth of Pennsylvania, by advertising the time and place of said meeting, by posting prominently a notice of said meeting at the principal offices of the County or at the public building in which said meeting was held, and by providing a reasonable opportunity for public comment at said meeting, all in accordance with such Act.

IN WITNESS WHEREOF, I set my hand and affix the official seal of the County, this 19 day of December, 2012.



Laura E. Evans, Esq.
Chief Clerk/Chief of Staff
County of Dauphin

(SEAL)